

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

<p>TINA RENEE BAIREFOOT, <i>et al.</i>,</p> <p style="text-align:center">Plaintiffs,</p> <p style="text-align:center">v.</p> <p>CITY OF BEAUFORT, SOUTH CAROLINA; TOWN OF BLUFFTON, SOUTH CAROLINA,</p> <p style="text-align:center">Defendants.</p>	<p>Civil Action No. 9:17-cv-02759-RMG</p> <p><u>CONSENT MOTION FOR ISSUANCE OF A COURT ORDER APPROVING AND INCORPORATING THE SETTLEMENT OF THE PARTIES</u></p>
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The Parties to this action, with the benefit of the able mediation of the Hon. P. Michael Duffy, have reached a settlement of all the issues before the Court. The Plaintiffs, with the consent of the Defendants, therefore, move for the Court to issue an order which approves and incorporates the settlement.

1. The Parties hereby agree to the Court's entry of the proposed Order in resolution of all of Plaintiffs' claims for relief against Defendants. Further, the Parties respectfully request that the Court retain jurisdiction for the purpose of enforcing its terms in accordance with the terms of the settlement.

2. Settlement is encouraged by the courts. In determining whether to approve a proposed settlement, the Court should determine that the settlement is fair, adequate and reasonable and is not the product of collusion. There is a strong presumption in favor of finding

a settlement to be fair.

3. The proposed Settlement is fair, adequate and reasonable and is not the product of collusion. Counsel for Plaintiffs and Defendants have engaged in a lengthy process of mediation with the Hon. P. Michael Duffy. The settlement is the result of arms-length bargaining and good faith negotiations, and therefore fair, adequate and reasonable.

4. The Settlement provides for meaningful reforms and its terms are reasonable in light of the significant additional resources, time, and money that both Plaintiffs and Defendants would be forced to spend in further litigation. Delays in resolving this case would prevent Plaintiffs from obtaining relief they seek unless and until they prevail at trial and, potentially, on appeal. The issuance of an Order approving and incorporating the Settlement now, by contrast, provides virtually immediate relief. Thus, it is fair, adequate and reasonable for the Parties to enter the settlement at this point in the litigation.

5. The Settlement resolves Plaintiffs' claims for relief without certification of a settlement class. Therefore, no third parties provide or receive releases for any claims in connection with the resolution of Plaintiffs' claims and the entry of the Order approving and incorporating the Settlement.

THEREFORE, good cause exists for entry of the proposed Order and the Court should approve and adopt this Order which approves and incorporates the Settlement of the parties.

September 27, 2019

Respectfully submitted,

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